

# Notice of Allowability

Application No.

10/800,064

Examiner

Sara Addisu

Applicant(s)

CLARK, KEITH

Art Unit

3722

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/28/06.
2. ☒ The allowed claim(s) is/are 1,2,5-9 and 12-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 11/28/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Monica S. Carter*  
MONICA CARTER  
SUPERVISORY PATENT EXAMINER<sup>P</sup>

### DETAILED ACTION

An extension of time under 37 CFR 1.136(a) is required to place this application in condition for allowance. During a telephone conversation conducted on 8/28/06, Mr. Brockhaust requested an extension of time for two MONTH(S) and authorized the Director to charge Deposit Account No. 04-1700, for this extension.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

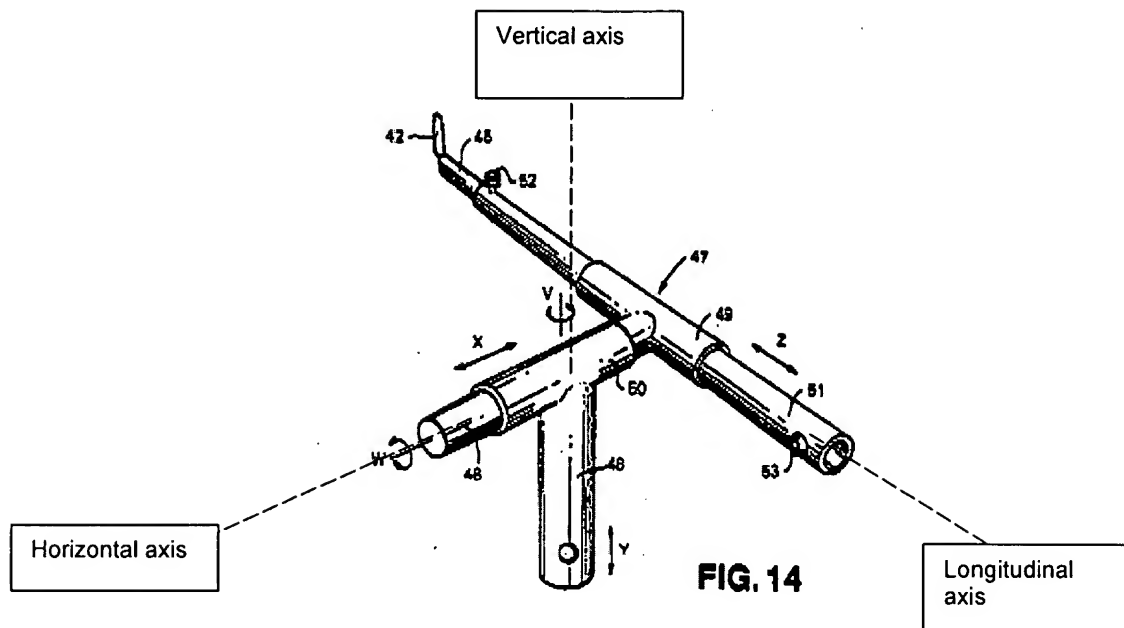
Authorization for this examiner's amendment was given in a telephone interview with Mr. Brockhaust and Keith Clark on 8/24/06 based on the proposed amendment faxed by the Applicant.

- Claim 1, line 13, after "...supported by the tool rest" add "causing downward forces to be applied to the tool when the tool engages a workpiece"
- Claim 12, line 12, after "...supported by the tool rest" add "causing downward forces to be applied to the tool when the tool engages a workpiece"

**Allowable Subject Matter**

Claims 1, 2, 5-9 and 12-19 are allowed.

Regarding independent Claims 1 and 12: The closest prior art to the instant invention is Kenny (U.S. Patent No. 5,224,529). Kenny teaches tool for a lathe having a mounting shaft (boring member) (45 & 51 held together by set screw 52) extending parallel to a longitudinal axis of the lathe and adapted to support a bade (42). Kenny also teaches a stabilization assembly having vertical and horizontal axis and is fixed adjacent to a lathe via T-bar (See Figure below and Col. 6, lines 31-69). Furthermore, Kenny teaches an articulation assembly (T-bar 46 & 47) supporting the boring member. Regarding claim 1, Kenny fails to anticipate or make obvious a rotational prevention assembly engaging the articulation assembly and the boring member to selectively permit and prevent rotation of the boring member about the longitudinal axis of the boring member. Regarding claim 12, Kenny teaches a horizontal support (48) and a first housing (46). However, Kenny fails to anticipate or make obvious a second housing pivotally mounted on the first housing as well as on the horizontal support.



### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara Addisu at (571) 272-6082. The examiner can normally be reached on 8:30 am - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on (571) 272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Sara Addisu  
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SA  
8/30/06

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